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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 KING COUNTY,

11 Plaintiff,

12 v.

13 Michael J. Abernathy; Gina M. Abernathy;
14 Scott C. Baisch; Jennifer C. Baisch; Warren
15 Beres; Vicki Beres; Jody J. Brewster; Andrew
16 J. Faraci; Allisa E. Faraci; Patricia J. Harrell;
17 Andrezej Milkowski; Lisa M. Milkowski;
18 Michael Parrott; and Diana Parrott,

19 Defendants.

20 No. 2:20-cv-00060-MAT

21 **PLAINTIFF KING COUNTY AND
22 DEFENDANTS ANDREW AND ALISSA
23 FARACI'S STIPULATED JUDGMENT
QUIETING TITLE**

24 **(Proposed)**

25 *Clerk's Action Required*

18 **I. STIPULATED JUDGMENT**

19 Plaintiff King County (“King County”) and Defendants Andrew and Alissa Faraci
20 (“Faraci Defendants”) have entered into a settlement agreement and hereby consent to entry of a
21 final judgment resolving all claims between them with respect to the portion of the East Lake
22 Sammamish Railroad Corridor, which includes King County Tax Parcel No. 0624069013
23 (“Corridor”), adjoining the Faraci Defendants’ property. The Faraci Defendants disclaim any
24 interest that they possibly could have asserted with respect to the portion of the Corridor,
25 including any shorelands and submerged lands within the Corridor that adjoins the Faraci’s

1 property located at 2133 E. Lake Sammamish Place SE, Sammamish, Washington 98075, King
2 County Tax Parcel no. 8920100104 (the “Property”) and consent to entry of final judgment
3 quieting title in favor of King County. King County’s claims for a declaratory judgment and
4 quiet title are GRANTED.

5 **II. STIPULATED FACTS**

6 This Stipulated Judgment is based on the following facts:

7 1. The Corridor, where it adjoins the Property, King County Tax Parcel No.
8 0624069013) is as set forth in the official King County survey conducted in 1998, attached as
9 Exhibit A.

10 2. The Corridor is under the continuing jurisdiction of the STB and interim trail use
11 may be subject to possible future reconstruction and reactivation of the former railroad Corridor
12 for rail service pursuant to the National Trails System Act Amendments of 1983, Pub. L. No. 98-
13 11, § 208, 97 Stat. 42, codified at 16 U.S.C. § 1247(d) (2006).

14 3. King County and the Faraci Defendants agree that this Judgment resolves all
15 claims arising from the allegations in the Complaint, and they waive all rights to appeal or
16 otherwise challenge or contest the validity of this Order.

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1 **III. ORDER**

2 It is hereby ORDERED:

3 1. King County is granted a decree quieting title free and clear from all claims by
4 the Faraci Defendants and/or their successors-in-interest to the portion of King County Tax
5 Parcel No. 0624069013, the land conveyed by the September 18, 1998 quit claim deed from TLC
6 to King County (recording No. 9809181252 which is attached as Exhibit B to this Order) that
7 adjoins the Property. King County is entitled to the exclusive use and control of this property,
8 which it owns in fee simple.

9 2. King County and the Faraci Defendants shall each bear their own attorneys' fees
10 and costs. This Court will not make any order awarding additional payment of attorneys' fees or
11 monetary damages for the claims.

12 3. King County has the right to remove any encroachments or improvements
13 previously placed, if any, in the Corridor adjoining the Property.

14 DATED this 29th day of May, 2020.

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18 Mary Alice Theiler
19 United States Magistrate Judge

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2 Presented By:
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King County Prosecuting Attorney

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STIPULATED JUDGMENT – 4

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